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Attorneys for Defendants  
MAC COSMETICS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CHERYL NARAIN,

Plaintiff,

v.

MAC COSMETICS, a Delaware Limited Liability  
Company, and DOES 1-25, inclusive,

Defendants.

Case No. 1:20-CV-00660-NONE-SKO

**JOINT STIPULATION AND ORDER  
TO AMEND SCHEDULING ORDER**

(Doc. 11)

Complaint Filed: 12.19.19  
Removed: 05.11.20  
Trial Date: None Set

Pursuant to Federal Rule of Civil Procedure 16(b)(4) and Local Rules 143 and 144(d), and for good cause shown, Plaintiff CHERYL NARAIN (“Plaintiff”) and Defendant MAC Cosmetics (“Defendant”), by and through their respective attorneys of record, stipulate and agree as follows:

1. This case was filed on December 12, 2019 in Stanislaus Superior Court (Case No. CV-19-007574).

2. There was a delay in service of the complaint and Defendant removed the case on May 11, 2020 (Docket No. 1).

1           3. The parties have actively litigated this case.

2           4. As a result of Defendant's continued investigation into the claims alleged by  
3 Plaintiff, the parties have recently become aware of facts that may lead to the resolution of this case  
4 and be dispositive as to the claims alleged in this action.

5           5. In an effort to conserve judicial resources and those of the parties, counsel are  
6 meeting and conferring to discuss these facts, the relative merits of the claims at issue in this action,  
7 and whether this action should be dismissed by stipulation.

8           6. Plaintiff's counsel cannot meet with Plaintiff until September 21, 2021 to discuss  
9 the merits of this matter.

10          7. The deadline for filing dispositive and non-dispositive motions is September 21,  
11 2021, and a Settlement conference is set for December 9, 2021 (Doc. No. 7).

12          8. Defendant believes there are strong grounds for filing a dispositive motions in this  
13 action.

14          9. If the parties are unable to come to an agreement about dismissing this action, the  
15 parties agree that Defendant's right to file a dispositive motions should not be prejudiced by an  
16 unavoidable delay in the parties' meet and confer efforts.

17          10. Similarly, the parties wish to avoid burdening the Court with unnecessary motion if  
18 the parties are able to resolve this dispute amongst themselves by stipulation.

19          11. The parties are requesting that the deadlines for filing dispositive and non-  
20 dispositive motions be continued for sixty (60) days, or as otherwise provided by the Court, while  
21 the parties meet and confer to discuss the potential voluntary dismissal of this matter. If the parties'  
22 meet and confer efforts are unsuccessful, Defendant will file dispositive motions.

23          12. The parties will not be prejudiced by a continuance of the current pre-trial deadlines.

24          **NOW THEREFORE**, the parties, through their respective counsel, jointly propose and  
25 stipulate to the following: the deadlines in the Pretrial Scheduling Order previously set forth by the  
26 Court shall be revised as follows, or set on such other dates as the Court determines:

27          ///

28          ///

<u>Event</u>	<u>Current Date</u>	<u>Proposed New Date</u>
Non-Dispositive Motion Deadline	September 27, 2021	November 26, 2021
Dispositive Motion Deadline	September 27, 2021	November 26, 2021

Dated: September 23, 2021 SODHI LAW GROUP

By: /s/ Ameet Singh Birring (as approved on 09.23.21)  
JAKRUN S. SODHI  
AMEET S. BIRRING  
Attorney for Plaintiff  
CHERYL NARAIN

Dated: September 23, 2021 JACKSON LEWIS P.C.

By: /s/ Nathan W. Austin  
NATHAN W. AUSTIN  
BAILEY MCCABE  
Attorneys for Defendant  
MAC COSMETICS

## **ORDER**

Pursuant to the parties' above stipulation (Doc. 11), and for good cause shown, the deadlines in the Scheduling Order (Doc. 6) are hereby MODIFIED as follows:

<b>Event</b>	<b>Prior Date</b>	<b>Continued Date</b>
Non-Dispositive Motion Filing	September 27, 2021	November 29, 2021
Non-Dispositive Motion Hearing	October 27, 2021	December 29, 2021
Dispositive Motion Filing	September 27, 2021	November 29, 2021
Pretrial Conference	February 23, 2022	April 27, 2022, at 8:15 a.m. <sup>1</sup>

IT IS SO ORDERED.

Dated: September 24, 2021

*/s/ Sheila K. Oberto*

UNITED STATES MAGISTRATE JUDGE

<sup>1</sup> The Court has continued the pretrial conference to allow adequate time for the Court to rule on the parties' dispositive motions and to permit the parties sufficient time to prepare their pretrial submissions.